IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 13374 of 2000

Between:

M/s. Ayyappaswamy Traders, Mundy Merchant,

represented by its Proprietor, T. Sudhakar Gupta, S/o Nagabhushanam, R/o Tadpatri, Anantapur District.

..... PETITIONER

AND

Assessing Authority and Secretary Agriculture

Market Committee, Tadpatri, Anantapur District.

.....RESPONDENT

The Court made the following:

ORDER:

The writ petition is filed questioning the action of the respondent in issuing the impugned orders dated 29.06.2000 in proceedings No.Rc.No.213/5/99 (Letter No.125/A/96-97 in exercise of power under Section 12 (B)(1) of A.P. (Agricultural Produce and Livestock) Markets Act, 1966, the present writ petition has been filed.

For the grievance of the petitioner, there is an effective efficacious alternative remedy of appeal in the statute itself. There are no special reasons to bye-pass the same.

In that view of the matter, I deem it appropriate to direct the petitioner to prefer an appeal to the statutory Appellate Authority within a period of three weeks from the date of receipt of a copy of this order. If such an appeal is filed, the Appellate Authority shall consider the same in accordance with law, without any reference to the objection of the limitation. The interim order passed by this Court on 25.07.2000 shall continue for a period of four weeks. It is left open to the petitioner to seek appropriate interim order before the Appellate Authority. It is also made clear that if no such appeal is preferred by the petitioner within the stipulated period referred above, it is left open to the respondents to enforce the notice.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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(R. SUBHASH REDDY, J)

Date: 03.11.2005

Ksn